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General Nathaniel Folsom.

An Address Delivered

April 8, 1903

by

Henry M. Baker.

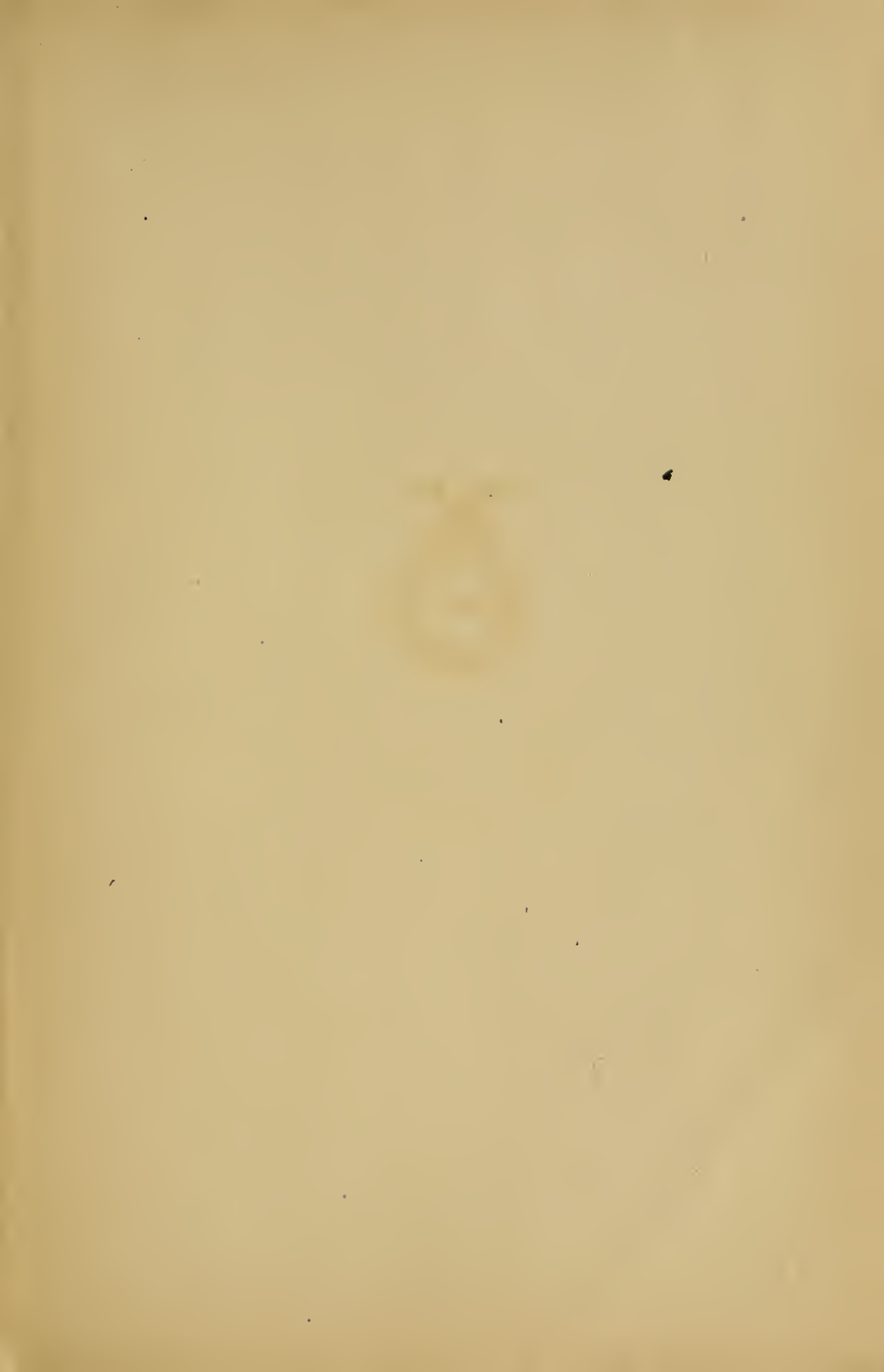




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General Nathaniel Folsom

AN ADDRESS

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APRIL 8, 1903

BEFORE THE NEW HAMPSHIRE HISTORICAL SOCIETY

BY

HENRY M. BAKER

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GENERAL NATHANIEL FOLSOM.

There are many men whom the world does not call great, who by lives of uprightness and efficiency deserve well of their fellow-men and leave behind them records of public service faithfully performed which challenge attention and command admiration. Such men are the substance of the state, the strength of the past, the hope of the future. They are more liable to be forgotten than the brilliant few whose names illumine history, but they are none the less essential to the public welfare. They are those who keep the state true to its principles, the church faithful to its precepts and who lead the people to higher ideals and more earnest effort. We are met to-day to consider the life-work of such a man, Gen. Nathaniel Folsom, to commemorate his service to our state, the nation, and to his fellow-men.

The Folsom family was of good English stock. John Folsom, an ancestor of Gen. Nathaniel Folsom and the first of this family to settle in America, came on the ship *Diligent* of Ipswich, England, in 1638, and found a home in Hingham, Massachusetts. Less than two years before, he had married Mary Gilman. Thus, even while in the mother country, the families of the Folsoms and the Gilmans, both so distinguished in New Hampshire, were associated. He removed to Exeter, this state, about 1653. It is probable that others of the Folsom family accompanied him or emigrated about the same time as the records of the town of Exeter show that Goodwin Fol-

som was one of the selectmen in 1659 and a juryman in 1662. The grandson of the emigrant, John Folsom, was Jonathan Folsom, who was a farmer in Exeter. He married Anna, daughter of Nathaniel Ladd. They had twelve children, one of whom, Nathaniel Folsom, the subject of this address, was born in Exeter, New Hampshire, in 1726. He was twice married. By the first marriage there were six children, and by the second, one, a daughter.

At the death of his father, Nathaniel was only fourteen years of age. The family was large and it became necessary for each member of it to contribute all possible for its support. He was soon apprenticed to a trade at which he worked for several years, though later in life he was known as a merchant. In 1761 he formed a copartnership with Joseph and Josiah Gilman under the firm name of Folsom, Gilman & Gilman. The duration of the firm was limited to seven years and its objects were stated to be "to keep a general store on a large scale, to build ships and carry on foreign commerce."

In the days of young Folsom's early manhood the military spirit of the colony ran high and deeds of daring were frequent. In common with the young men of his time he joined a militia company at an early age, and in its service undoubtedly developed that liking for military affairs which so largely determined his public career. I have found no record to show what offices he held in his company or regiment prior to the Crown Point Expedition of 1755. The fact that he was assigned to the command of one of the ten companies constituting New Hampshire's quota in that expedition is proof in itself that he must have held good rank and excellent reputation in the military circles of the colony. His company consisted of his neighbors and acquaintances in Exeter and adjoining towns. He marched with his men through the woods to Albany, New York, and thence to Fort Edward, where he joined the other New Hampshire troops. The men from our state served largely as rangers, which implies a knowledge of the wiles and skill of Indian warfare.

The French and Indians attacked the Americans at Fort George, were repulsed and their commander, Baron Dieskau,

mortally wounded and taken prisoner. During the day Captain Folsom was ordered to scout with his men in the direction of Lake George. About 4 o'clock in the afternoon he met the retreating French and Indians and immediately scattered his men according to the ranger system of fighting, protecting them by trees and other defences, leaving each man to shoot when and as often as he could do so effectively. Under his immediate command were the eighty-four men of his own company and about one half that number from New York. They maintained a sharp firing until dark, inflicting great loss upon the enemy, though their own loss was slight. Then they returned to their camp bringing with them their wounded, several prisoners, and considerable supplies captured from the enemy.

Hon. Theodore Atkinson, secretary of the province of New Hampshire, in a letter to John Tomlinson, Esq., relative to the Crown Point Expedition, wrote: "In the engagement with General Dieskau about eighty of our men [Captain Folsom's company of eighty-four] with about forty Yorkers—many of whom were of little service though others of them behaved well—I say, this small party under the command of Captain Folsom of New Hampshire it is thought killed more of the Canadians and Indians than was killed at General Johnson's camp; they continued an obstinate engagement with more than one thousand—indeed all that retired from before General Johnson's camp—killed great numbers of the enemy, recovered about twelve hundred packs, beat off the enemy, carried their own wounded men to the camp. This engagement lasted about three hours, when night came on and the French and Indians went off and left all. After this our regiment was ordered to the camp at Lake George and was never put upon duty but in the scouting way, which they performed in so acceptable a way that no duty but that was required of them. General Johnson could or would have had no intelligence had it not been for our men."

It is said of Captain Folsom's victory that it "served more than anything else to revive the spirit of the colonies."

This was the last active movement in this campaign. The regulars went into camp at Fort William Henry and the New Hampshire men returned home.

It does not appear that Captain Folsom engaged in any active campaigning from this time until the outbreak of hostilities in the Revolutionary war. He was probably at home engaged in his trade or in business, living an active but quiet life. He did not, however, abandon his service in the militia for in 1767 he was promoted to be major, later to lieutenant-colonel and subsequently to be colonel of the Fourth New Hampshire regiment, which command he probably continued to exercise until he was chosen brigadier-general by the Provincial congress which met at Exeter two days after the battle of Lexington. His duty was tersely stated to be to command the troops that had gone or might go "from this government to assist our suffering brethren in the province of Massachusetts Bay, who are now opposing the hostile violence of the regular troops, and to order for the troops that may be under his command, from time to time, all necessary supplies and to transmit to us the earliest accounts thereof and what may be thought further necessary for the support of the common cause."

The next Provincial congress met on the 17th of May following and proceeded to put the colony upon a war basis. On the 20th of that month they voted to raise 2,000 men, including those already encamped around Boston. Three days later John Stark, James Reed, and Enoch Poor were elected colonels and Nathaniel Folsom a brigadier-general to command the three regiments in the field and all the troops raised by the state. This arrangement continued until the organization of the Continental service, which was enlisted for three years or during the war. Colonel Stark was then at Medford, with some 800 men under his command. He was soon joined by Colonel Reed and those of his regiment ready for duty. Colonel Poor remained in New Hampshire with his men to defend Portsmouth, the frontier, and the sea-coast. Colonels Stark and Reed participated in the battle of Bunker Hill and won laurels for the state. General Folsom remained at home attending to the details of his military command and encouraging enlistments. He was known by the militia better than any man in the state, and all had confidence in his energy, integrity, patriotism, courage, and ability to organize those

subject to military duty and to induce them to volunteer for active service. He was first made a brigadier-general, and on the 30th of June, 1775, was appointed a major-general by resolve of the Provincial congress, and his commission antedated to the 24th of May. On the 24th of August following he was designated again to be the general officer over the militia of the colony. This position he filled efficiently during the war. General Folsom was not at Bunker Hill. He was busy equipping the soldiers and preparing them for active and efficient service. He looked after the details which now would be performed by those in the quartermaster, commissary, and ordnance service, and was in truth the *general* military officer of the state. As an organizer and director he was respected as well as obeyed. He arrived in Cambridge three days after the fight on Breed's Hill, and assumed command of the New Hampshire troops,

"Of men as ardent and brave and true
As ever land in its peril knew."

It was unfortunate that Colonel Stark entertained a feeling of hostility to him, based largely, if not altogether, upon jealousy because Folsom outranked him. One can scarcely understand why he should have claimed the preference, for in their prior service in battle Stark was a lieutenant and Folsom a captain; and while Stark was not in the militia service of the colony at the commencement of hostilities, Folsom commanded a regiment, and though he was not present at the attacks upon Fort William and Mary on the 14th and 15th of December, 1774, when the news that the fort had been assaulted reached Exeter, he hastily raised a considerable armed force and marched to Portsmouth, where he arrived on the morning of the 16th of that month and with his men guarded the captured cannon until they could be taken at high tide into the country. He and his men formed the escort for them until they were stored in a safe place. But whatever the personal merits of these brave men, the situation was alarming. Stark was popular with his men, and had neglected and even refused to obey the orders of General Folsom. General Folsom showed great

forbearance and tried to conciliate Colonel Stark. His efforts having failed to bring about proper discipline, he reported the facts to the Committee of Safety by letter dated June 23, 1775, in which he said: "I am well informed by Mr. Stark's best friends that he does not intend to be under any subordination to any person appointed by the congress of New Hampshire to the general command of New Hampshire troops. I have tried all conciliatory methods, both by personal conversation and the mediation of friends but without effect. . . . Gentlemen, it is, I trust, unnecessary to hint to you that without a proper subordination it will be absolutely impossible for me to execute the trust you have reposed in me."

Fortunately, upon reflection, Colonel Stark recognized his duty as a military officer, and General Folsom, two days later, was happy to supplement his previous report by another in which he said, "In my letter of the 23d instant I informed you that Colonel Stark refused subordination to my orders. But yesterday he made such submission as induces me to desire to pass over said letter, so far as it relates to him, unnoticed."

When Colonel Stark yielded, the past was disregarded if not forgotten. Both General Folsom and Colonel Stark desired an election as brigadier-general by the Continental congress. The friends of each were active, possibly bitter, so congress, in consequence of this unfortunate rivalry, set aside both and elected John Sullivan, who was then a delegate in congress from New Hampshire.

General Folsom remained with the New Hampshire troops before Boston less than three months. When General Sullivan joined the army, there appeared to be no necessity for his continuance in the field, and he retired to his home in Exeter (where his wife had died a short time before, leaving a large family), and devoted himself to the public service in various capacities, but principally as commander of the militia, improving its equipment and discipline so that a considerable force could be available upon a short notice. The militia comprised twelve regiments fully organized, and from them were enlisted four regiments of minute men subject to orders to march at once. After the assumption of civil government

by New Hampshire the Provincial congress passed an act for "forming and regulating the Militia within the State of New Hampshire in New England." This act divided the militia into two classes—the training band and the alarm list. The training band included, with the ordinary exceptions, all able-bodied male persons in the state from 16 to 50. The alarm list included all male persons not in the training band, or otherwise excepted, from 16 years of age to 65. They could not be ordered out of their respective towns by an officer of less rank than a colonel, but must once in every six months appear with their arms and accoutrements for inspection.

Each volunteer of the training band was required to equip himself with a good firearm and all other requirements of a soldier. Each company was to muster eight times a year, and in addition the major-general could order musters of the militia at his discretion. In 1776 the training band had 16,710 men enrolled. That year New Hampshire had 300 men in her fortifications and nine regiments under arms—three regiments of regulars in the Continental army and six regiments held as reënforcements. The remaining enrolment of the state was subject to duty as emergencies should require.

All through the war General Folsom was the inspiring and devoted commander of the state forces. He was responsible for their organization, equipment, and discipline. When any invasion was anticipated he ordered the several regiments to be properly equipped for immediate service, and that the men carry their firearms with them "as much as they can with any degree of convenience, as we know not the day or hour when an attack may be made on our border; and, as it is of the greatest importance to meet our enemies before they have time to get much footing, and to stop those infernal traitors among ourselves who may be disposed to join them." A few extracts from the public records will illustrate his duties and the confidence reposed in him.

On April 21, 1775, the first Provincial congress of which he was a member, voted unanimously that Col. Nathaniel Folsom be desired immediately to take the chief command of the New Hampshire forces as has been stated. Five days later he was

made chairman of a committee to visit Massachusetts bearing a letter to the congress there and was instructed to assure them of the sympathy and aid of the people of New Hampshire. Later he went upon a like mission bearing the reply of New Hampshire to a letter from Massachusetts. The same month he was appointed on a committee to call a Provincial Congress of Deputies when they shall judge the exigencies of public affairs require it, and chairman of a committee on correspondence with other congresses and with committees of safety. He was a member of the second Provincial congress which met at Exeter the 17th of May, 1775. In this congress he was a member of the committee on rules and on ways and means. On the 20th of May it was voted, "That if it should appear that the above number of men (those enlisted in the towns) is not our full proportion with the other governments that this convention will be ready to make a proper addition for that purpose."

General Folsom was also a member of the third Provincial congress. In this congress he was appointed on a committee to prepare a plan for the representation of the people in the future.

His committee service was varied and extensive. Among the subjects which he was called upon to consider, in addition to those already stated, were to lay a plan for an army of sufficient force, to report what laws should be adopted as laws of the state, to nominate a proper person to be major-general of militia while he is in the Continental congress, on pay of soldiers, to nominate officers, as to highways, to nominate delegates to the Continental congress, to nominate collectors of taxes, on oath of fidelity, on the defenses of Portsmouth harbor, to reduce tax on money loaned the state, to nominate civil officers, on business of the session, to raise men for the defense of Rhode Island, on ratable polls and estates, on recruiting soldiers, on clothing for soldiers, on bills as legal tender, on pay of civil officers, on accounts, on the liquor excise, on amount to be raised as taxes, on uniform taxation in the New England colonies by imposts, excises, etc., on the salaries of justices of the courts, on resolutions of congress, and various

others. Those enumerated are ample to show the confidence reposed in him and his capacity for multiform service. The second and third Provincial congresses elected committees of correspondence. General Folsom was a member of each and chairman of the second one. After that and until the close of the war committees of safety were chosen. General Folsom served on that responsible committee in the years 1775, 1776, 1778, 1779, 1782, and 1783. In 1777, when he was not a member of the committee, he joined the citizens of Portsmouth in a petition to it asking the banishment or execution of "those abandoned wretches well-known by the name of Tories, who have too long infested this town and State . . . and continued repeatedly to add Insult to Injury, till at length many have by the further instigation of the Devil been prompt on to counterfeit and pass large sums of money." He was a member of the state council in the years 1776 and 1784.

As in the Continental congress each state had one vote and no more, though represented by several delegates, it is evident that there was not that inducement and possibly not the necessity for the continuous attendance of each delegate which exists under our present representative system. This fact may account for the failure to attend of some of those elected to represent our state in the Continental congress, and for the irregular attendance of others, and also for the many times an election was declined.

It is also to be noted that such delegates did not receive a stated salary regularly paid but were required by the necessities of the hour to expend their private fortunes or, at least, to advance their personal and official expenses until such time as the public treasury would justify reimbursement.

General Folsom was elected a delegate from New Hampshire to the first Continental congress which assembled in Carpenter's hall, Philadelphia, on Monday, the fifth of September, 1774. John Sullivan was his colleague. Their credentials being the first issued are given in full. They are as follows :

PROVINCE OF NEW HAMPSHIRE.

At a meeting of the deputies appointed by the several towns in this province, held at Exeter in the County of Rockingham, 21st July 1774, for the

election of delegates on behalf of this province to join the general Congress: Present 85 members; The Honorable John Wentworth, Esq. in the chair: Voted, That Major John Sullivan and Colonel Nathaniel Folsom, Esqrs.; be appointed and empowered, as delegates, on the part of this province, to attend and assist in the General Congress of delegates from the other Colonies, at such time and place as may be appointed, to devise, consult and adopt such measures, as may have the most likely tendency to extricate the Colonies from their present difficulties; to secure and perpetuate their rights, liberties and privileges and to restore that peace, harmony and mutual confidence which once happily subsisted between the parent country and her colonies.

J. WENTWORTH,
Chairman.

Major Sullivan and Colonel Folsom were prompt in their attendance. On Tuesday the second day of the congress it was resolved, "That a committee be appointed to state the rights of the Colonies in general, the several instances in which those rights are violated or infringed, and the means most proper to be pursued for obtaining a restoration of them." Both the delegates from New Hampshire were appointed on this committee. Their report, made a few days later, became the basis of the Declaration of Independence and remains to this day one of the most memorable documents in our national history.

Though General Folsom was elected to congress subsequently at various times and though his credentials were presented by his colleague May 16, 1777, he declined to serve, or was too busy in home affairs to attend until Monday, the 21st day of July of that year. The next month he was appointed on the board of the treasury, and from that time the colonial finances absorbed much of his time and attention. That service was so exacting that later he declined various committee assignments that he might devote himself to his duties at the treasury. General Folsom opposed all measures for representation other than by one vote for each state. That view generally obtained. The opposition consisted of Virginia, one half of North Carolina, and one delegate from Pennsylvania. He also vigorously opposed the plan to apportion taxes among the several states according to the value of the private land and improvements thereon in each state. He also served on the

marine committee for a few months, but was excused from further service "as he was engaged at the treasury," and Mr. Frost was appointed to the vacancy.

During the consideration of the Articles of Confederation Mr. Folsom was active and alert. He voted against an amendment which required the states voting in favor of a proposition to comprise a majority of all the people of the United States, and opposed limiting the call for yeas and nays to the demand of a state instead of a delegate. He was not satisfied with the Articles of Confederation because, among other reasons, the slaves, who constituted about one third of the wealth of certain states, were not taxed, and because they were not subject to military duty on the other hand, though they produced the food and clothing which in other states required the labor of men who were enrolled. Thus the quotas of the slave-holding states were equitably too small if their taxes were proportionable. These inequalities, against which General Folsom earnestly protested, were maintained until slavery was abolished.

In October, 1777, when Mr. Hancock retired from the presidency of congress upon a leave of absence for two months, it was moved "that the thanks of congress be presented to John Hancock, Esq., for the unremitted attention and steady impartiality which he has manifested in the discharge of the various duties of his office as president." This resolution was met by a motion to substitute for it a resolution to the effect that "it is improper to thank any president for the discharge of the duties of that office."

Mr. Folsom voted in favor of the substitute, but the motion was lost, the states being equally divided. The question then being upon the adoption of the original resolution, he voted *No*, and was sustained in that vote by Massachusetts, Rhode Island, and Pennsylvania.

It is certain that he voted against the resolution, not because he doubted either the ability, patriotism, or impartiality of Mr. Hancock, but because he thought the performance of duty to the best of one's skill and capacity should be required of every one as a matter of course and of right, and not be the subject of special thanks.

General Washington having consulted with General Gates and Governor Clinton relative to the advisability and expediency of detaching a large force from the main army for the purpose of opening Hudson river after the surrender of Burgoyne, and that fact having become known in congress, it was proposed to instruct General Washington to act relative thereto only "with their concurrence." Upon that proposition General Folsom promptly voted in the negative. He voted to detain the troops surrendered by General Burgoyne until the terms of the surrender were complied with by the British.

On the 10th of January, 1778, a committee of three from congress was ordered appointed, to serve with three members of the board of war, to visit the camp, consult with General Washington, and form and execute a plan for the consolidation of the army and increase its efficiency and promote discipline and good morals. Mr. Folsom was appointed on that committee. Letters from the camp, and the fact that Mr. Folsom's name does not appear in the roll-calls of congress from January 15 to March 24, 1778, indicate that during that time the committee was at Valley Forge. The committee made several recommendations which were adopted, and the comfort and efficiency of the army were increased.

About the 1st of April, 1778, General Folsom returned home, and New Hampshire was unrepresented in congress until the 21st of May, when Mr. Josiah Bartlett presented his credentials.

General Folsom returned to congress on the 30th of December, 1779, and remained about six months. The Journals of this congress are brief and unsatisfactory. In the published edition I have been able to consult the yeas and nays are not given, and it is practically impossible to determine the action of individual delegates upon many questions of importance. Mr. Nathaniel Peabody was his only colleague present (though Woodbury Langdon and George Frost had been chosen) until Mr. Samuel Livermore, who was subsequently elected, presented his credentials Monday, the 7th of February, 1780, and began a service which was continued several years. During this session General Folsom devoted himself especially to the

determination of the boundary between New Hampshire and the states of Massachusetts and New York, involving jurisdiction over the territory now known as the state of Vermont, and to the settlement of the accounts of the state of New Hampshire with the general government.

His efficient service in prior congresses is proof that he was active upon all public questions at this time. The Journals do not show definitely when General Folsom returned home. It is certain that he was in attendance until late in June. With the session his congressional career ended. It was active, efficient, progressive, and patriotic. He was true to his state, the United States, and the high ideals which actuated the leaders of the Revolution in military and civil life alike. He had served with such distinguished statesmen and patriots as John Sullivan, Josiah Bartlett, Samuel Adams, John Adams, John Hancock, Robert Treat Paine, Stephen Hopkins, Roger Sherman, Elbridge Gerry, Oliver Ellsworth, Oliver Wolcott, Philip Livingston, George Clinton, Gouverneur Morris, John Jay, Thomas Mifflin, Edward Biddle, Benjamin Franklin, George Read, Philip Schuyler, Peyton Randolph, George Washington, Patrick Henry, Edward Rutledge, Charles Pinckney, and others, and was respected and honored by them. With them he had performed valued and delicate committee service, and at times had been selected by them for important and technical duties. Had he performed no other service than on the treasury board and in the camp at Valley Forge, planning greater efficiency for the army, he would have deserved well of his countrymen and received the approval of his state.

The records show that he served in the colonial assembly under Gov. John Wentworth before the difficulties with the mother country rendered separation a necessity, that he was an active and efficient member of the first four of the Provincial congresses, and that he served for several sessions in the state legislature. In 1776 he was one of the first twelve councilors (or senators) of the state under the form of government then adopted.

He was a member of the constitutional convention of 1778-79. That convention submitted to the people a new constitution

which they rejected. No copy of the journal of this convention is preserved and hence no knowledge is obtainable of the propositions submitted to the convention and rejected or the discussions which ensued. Two years later the third constitutional conventional assembled. General Folsom was a member of this convention. It submitted three constitutions to the people. The first and second were rejected and the third ratified. The constitution thus secured is the basis of the constitution now in force and is a monument to the wisdom and forethought of our ancestors. This convention from its organization to its final adjournment was in existence two years, four months, and twenty-six days. Its journal is also lost but that General Folsom was prominent in its deliberations can be fairly presumed from the fact that he was elected president *pro tempore* of its last session and as such signed the announcement of the adoption of the constitution by the people.

On the 26th of January, 1776, he was elected the second justice of the court of common pleas for the county of Rockingham. The decisions of that court are not reported and hence no opinion can be expressed in positive terms of his career as a judge, but the facts that Rockingham was at that time the most important county in the state, that upon the adoption of the constitution he was promoted to chief justice, and that he held the office until his death, would indicate that he was satisfactory as a trial justice.

During his entire life he had the confidence of his townsmen. They elected him to all the offices—great and small—within their control and it appears that he never declined to serve them because the office was insignificant or its duties laborious or unpleasant. His whole life was one of service. For a score of times he was elected moderator of Exeter's town-meeting.

General Folsom was a Free Mason as is shown by his signature to the petition of the master, wardens, and members of St. Johns lodge at Portsmouth to the legislature in "the year of Light 5799" asking the incorporation of their lodge.

In religion he was an orthodox Congregationalist, firm in his faith and strict in the observance of his duties. When the First church and its pastor were accused of being heterodox

he promptly joined in the movement for another society in which the old standards of faith and practice would be maintained. He was active until a short time before his death, which occurred at his home in Exeter on the 26th of May, 1790.

He was a kind husband, a devoted father, an obliging neighbor, a true friend, a patriotic citizen, and an officer faithful in the discharge of both civil and military duties. He deserved well of his town and state and neither were ungrateful.

He was not a great man, but he could do many things well—he did not dazzle by brilliancy, but won the esteem, respect, and approval of his fellow-men by conscientious service. Such men are worthy of commemoration. Their disinterested and patriotic public service, their personal integrity and moral worth render them appropriate subjects for the consideration and admiration of all who honor virtue, love loyalty to principle, and reverence the ideal in man.

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